

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Chapter 9
	:	
CITY OF CHESTER, PENNSYLVANIA	:	Case No. 22-13032-amc
	:	
Debtor.	:	Related to Docket No. 10
	:	

**RESPONSE OF AQUA PENNSYLVANIA, INC. TO MOTION OF CHESTER WATER
AUTHORITY PURSUANT TO RULE 2004 FOR DISCLOSURE OF COMPENSATION OF
LEGAL PROFESSIONALS REPRESENTING DEBTOR’S ELECTED OFFICIALS**

Chester Water Authority (“CWA”) has requested an order pursuant to Fed. R. Bank. P. 2004 “directing that the Debtor, the City’s Elected Officials and their counsel, as well as all other persons or entities with information and documents, disclose how counsel for the City’s Elected Officials are being compensated, by whom, and on what basis in this proceeding and the “Receivership Proceeding” (*Weaver v. City of Chester*, No. 336 MD 2020 (Pa. Comm. Ct.))”.

The allegations of CWA’s Motion concerning Aqua Pennsylvania, Inc. (“Aqua”) are pure hyperbole - expressing its own unjustified paranoia driven by CWA’s dissatisfaction with any proposed sale of the system to Aqua and any party which believes that sale is in the City’s best interest. In a nutshell, CWA’s Motion is based solely on sheer speculation that there *may be* a vast Commonwealth-wide conspiracy, in which Aqua *may* play a part, in which counsel for the Elected Officials *may* be receiving compensation from other entities to facilitate the sale of the system to Aqua. Ascribing the worst possible motives and ethics to the parties to this bankruptcy and their counsel, CWA seeks permission to rummage through an unlimited category of documents and collect information which ostensibly will allow CWA to gauge how the Elected Officials are spending their money and why.

Recognizing the seeming pointlessness of this exercise, undersigned counsel for Aqua on February 9, 2023, contacted counsel for CWA by e-mail and offered an affidavit from Aqua’s General Counsel that Aqua has not funded, is not funding and will not fund counsel for the Elected

Officials or counsel for any other party in this bankruptcy proceeding, if CWA would withdraw the Motion as to Aqua. Counsel for both Aqua and CWA are now engaging in a dialogue to address the possibility of such a resolution.

WHEREFORE, Aqua Pennsylvania, Inc. respectfully requests that this Court: 1) deny CWA's Motion, or in the alternative, 2) issue an Order directing that the Affidavit offered on February 9, 2023, is satisfactory for the purposes of satisfying CWA's request.

Respectfully submitted,

LAMB McERLANE PC

Dated: February 13, 2023

BY: /s/ Guy A. Donatelli
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Guy A. Donatelli
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PROOF OF SERVICE

The undersigned hereby certifies that I caused a copy of the foregoing to be served on all counsel of record via the Court's electronic filing system and upon the following via First Class Mail:

John Schanne, Esquire
George Conway, Esquire
Robert NC Nix, Sr. Federal Building
900 Market Street, Suite 320
Philadelphia, Pennsylvania 19107

Date: 2/13/2023

Respectfully submitted,

Lamb McErlane PC

/s/ Guy A. Donatelli

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ORDER

AND NOW, this __th day of February, 2023, upon Consideration of Aqua Pennsylvania, Inc.'s response to the Motion of Chester Water Authority Pursuant to Rule 2004 for Disclosure of Compensation of Legal Professionals Representing Debtor's Elected Officials, it is hereby

ORDERED that CWA's Motion is DENIED.

BY THE COURT:

, Bankruptcy Judge

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ORDER (IN THE ALTERNATIVE)

AND NOW, this ___th day of February, 2023, upon Consideration of Aqua Pennsylvania, Inc.'s response to the Motion of Chester Water Authority Pursuant to Rule 2004 for Disclosure of Compensation of Legal Professionals Representing Debtor's Elected Officials, it is hereby

ORDERED that the Affidavit offered on February 9, 2023 is satisfactory for the purposes of satisfying CWA's request and the Motion in all other respects is DENIED.

BY THE COURT:

, Bankruptcy Judge